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Promotion and protection of human rights: human rights situations and reports of special rapporteurs and representatives

Letter dated 16 October 2018 from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General

I have the honour to enclose herewith comments and observations on the report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran contained in document A/73/398 (see annex).

It would be appreciated if the present letter and its annex could be circulated as a document of the General Assembly, under agenda item 74 (c).

(Signed) Gholamali **Khoshroo**
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Comments and observations by the Islamic Republic of Iran on the report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran contained in document A/73/398

1. The report A/73/398 attests, once again, to the fact that overlapping, duplication and waste of resources are not a matter of concern for certain Member States who are behind the mandate which resulted in the report. Producing four nearly identical reports annually on the situation of human rights in Iran only exposes the unfortunate adoption of a harmful and manipulative approach by the same States. Duplication of allegations against Iran four times a year does not substantiate them. The report itself indicates that it only highlights some issues which have been "repeatedly raised". Therefore, the added value of the report remains unclear. The report under question is the result of a counterproductive mandate that is designed as an instrument of pressure rather than cooperation; a mandate that underscores selectivity and undermines the universal nature of the universal periodic review. The mandate simply overrides the conviction on the universality of human rights. Such characteristics leave little, if any, credibility for the report and make it objectionable in its entirety.
2. As expressed repeatedly, there is no special situation in Iran in demand of a special rapporteur. The gravity of the specific cases that are raised in the report, while regrettable in their own place, do not warrant a country-specific rapporteur and report. The Government is cognizant of the existing deficiencies and is at the forefront of promoting a discourse that encourages protection of and respect for human rights at the national level. Even the report at hand recognizes "the strong advocacy role of civil society and human rights defenders within Iran". The number of peaceful demonstrations that are being held across the country on a daily basis is unprecedented within the context of the region that Iran is located in. Holding such a high number of peaceful assemblies is a clear indication of a vibrant, democratic and open society, as well as a sign of strength. Iran's self-righteous critics and their clients are challenged to guarantee the same right for their own citizens! Unsurprisingly, the same destructive forces behind the mandate that resulted in the report have done everything in their power in the past to quash the Iranians' quest for human rights and democracy. Iranians take the issue of human rights very seriously, and they are the only true stakeholders on the subject. Iranians do not need to receive advice from a deeply politicized mandate and flawed mechanism — one in which Israel is part of the group that picks its special rapporteurs! Can it possibly become any more ludicrous?
3. Notwithstanding the above, the solemn promise of the Special Rapporteur is viewed with a positive note. The promise is that he will be guided by the provisions of the Code of Conduct for Special Procedures Mandate-holders of the Human Rights Council; act in an independent capacity and perform his mandate through a professional and impartial assessment of facts based on internationally recognized human rights standards, free from extraneous interference, pressure or politicization; and be guided solely by the aim of assisting the State in complying with its international human rights obligations in an incremental, constructive, yet robust manner.
4. However, serious doubts remain as to how such promises will be faithfully kept. For instance, the report in paragraph 4 refers to meetings with "representatives of a number of Permanent Missions based in Geneva". It raises many unresolved questions. Why should they be consulted on such a sensitive issue? Who has given them such privilege? Who has validated their impartiality and objectivity on the

situation of human rights in Iran? What has happened to the principle of sovereign equality of the United Nations Member States? After all, there is no need to receive human rights advice from such hypocrites who have committed the most egregious human rights violations engraved in history. It should be clear that, in the Iranians' joint efforts for the promotion and protection of human rights, there is no room for external players, especially those who have no genuine intention to contribute to the noble cause of human rights. Countries who have flatly failed to uphold human rights in their own societies, countries whose communities are awash with racism, xenophobia, Islamophobia and torture have no moral authority to lecture a country that earnestly believes in the imperative of human rights.

5. Furthermore, in paragraph 14, the report expresses that "the Special Rapporteur intends to engage with the media with measured and objective analysis on progress achieved and challenges concerning the human rights situation in the country". It becomes very challenging, if not impossible, to reconcile such a statement with the fact that the media outlet openly funded by and receiving its policy directions from the United States State Department was among the first — if not the first — media that the Special Rapporteur held an interview with. Should it be considered inadvertent? After all, who is unaware of the aggressive and subversive policies of the United States against Iran? Who is unaware of the selective, harmful and biased approach of the United States Administration towards the issue of human rights around the world? Therefore, it is entirely unclear how the promises made in the report will be honoured.

6. We take positive note that, on several occasions, the report has made a number of references to the responses that have been provided by the national authorities to the draft of the report. Furthermore, for the first time in many years wherein similar reports have been produced, one paragraph of this report is allocated to the impact of economic sanctions on the human rights of Iranians. Though too little, too late, this development is also viewed with a positive note. It is expected that, in fulfilling the promises contained in this single paragraph, the Special Rapporteur is to encourage his colleague, Mr. Idriss Jazairy, the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights, to meet a long-standing invitation to visit the Islamic Republic of Iran in order to assess the impacts of the United States unilateral sanctions on the human rights of Iranians. Despite the gravity of the violation of Iranians' human rights due to sanctions, it is instructive to note that, except the said Special Rapporteur, who has spoken out against this crime in his 22 August 2018 statement, other relevant mandate holders, who regularly issue statements on Iran, as well as the Office of the United Nations High Commissioner for Human Rights and others in the United Nations Secretariat, have yet to express themselves on this apparent, indiscriminate and genocidal mass violation of human rights of Iranians. It is worth noting that, in the said statement, the Special Rapporteur underlines that the unjust and harmful sanctions of the United States are "driving millions of people into poverty and making imported goods unaffordable". He underscores that: "the current system creates doubt and ambiguity which makes it all but impossible for Iran to import these urgently needed humanitarian goods. This ambiguity causes a 'chilling effect' which is likely to lead to silent deaths in hospitals as medicines run out". The United Nations and its human rights mechanisms have a clear responsibility to join forces in condemning such threats that openly violate all of the basic human rights of all Iranians. Their ongoing silence is incomprehensible and unjustifiable. Even this report, while making numerous references to allegations that were raised against Iran in earlier reports, avoids taking note of the content of the aforementioned statement.

7. Similar to previous reports, a large portion of the text is allocated to openly or tacitly defending criminals, armed drug dealers, terrorists, secessionists and spies.

These are the same people who denied recognition of any rights for their victims. The overwhelming attempt of the report to whitewash the vicious conduct of criminals against ordinary Iranian citizens is startling and unsettling. One may wonder whether the report is confusing the plaintiff for the defendant. Unfortunately, the grievances of the victims of these villains are left unheard throughout the report. It seems that their human rights and voices were not worthy enough to acknowledge. The persistent inclination of the report in abashing the Government's decisiveness and dedication in ensuring its citizens' safety and security is alarming. As an example, raising unsubstantiated accusations against the Government for holding members of a renowned terrorist group accountable for their crimes against innocent people sounds disturbing.

8. Iran is openly and fiercely targeted by a media warfare planned, organized and funded by adversary Governments from outside the country, notably the United States. In collaboration with notorious cults who have neither any place in Iran's future nor any respect for human rights, numerous satellite television broadcasts and thousands of fake accounts on social media networks run from outside the country and are systematically pumping blind hate, fabricating false news and provoking disruption and destruction. It is regrettable that the report fails to duly recognize the ongoing open assault against Iranians through the abuse of media and Internet platforms. Regardless of the aforementioned situation, the Government of the Islamic Republic of Iran earnestly believes in maintaining an open and dynamic media environment to ensure each citizen's safe and unhindered access to the Internet. Actually, the decision-making processes across the political system are routinely informed by contributions from an open and dynamic media as well as social media networks inside the country.

9. While the appreciation for and recognition of ethnic, linguistic or religious minorities is an outstanding characteristic of Iran's past and present, the report — influenced by previous similar reports — implies a non-existent situation of division and intolerance within the society. In fact, Iran is a country formed by ethnic and religious minorities. It is safe to say that every Iranian belongs to a minority group, and this is a fact cherished by all Iranians. For thousands of years, Iran has been a safe haven for minorities. The historical, peaceful coexistence of different ethnic and religious minorities in Iran attests to such a claim. Needless to say, belonging to a minority cannot and should not afford impunity. Moreover, activities that run counter to the objectives and principles of the Charter of the United Nations and principles of international law, including engagement into acts of terrorism or secessionist activities, cannot be concealed behind the niceties of human rights activism.

10. The Government of the Islamic Republic of Iran, while rejecting all country-specific mandates as being politicized and manipulative in nature, insists on the promotion of mutual respect and dialogue as the right path to address any genuine concern regarding human rights. To enhance the credibility of human rights discourse, Iran seeks respectful dialogue without recrimination or blame game. Iran welcomes meaningful engagement with all serious partners. President Rouhani's policy of constructive engagement with the world promises new horizons for dialogue-based cooperation, understanding and mutual respect in all fields, including human rights. In this context, the ongoing bilateral human rights dialogue and technical cooperation with several countries are noteworthy. The Islamic Republic of Iran, as also recognized by the report, is committed to the universal periodic review while having extended its hands for further cooperation and dialogue to the Office of the United Nations High Commissioner for Human Rights. Iran is constructively engaged with human rights treaty body mechanisms as well as human rights thematic mandate holders. Iran continues to call for dialogue based on understanding, cooperation and mutual respect.